

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1567 OF 2003

Kolhapur Zilla Sahakari Dudh

Utpadak Sangh Ltd. & anr. ..Petitioners.

Vs.

Dist. Dairy Development Officer

& Ors. ..Respondents.

....

Mr.L.M.Acharya for the Petitioner.

Mr.A.P.Vanarase, AGP for Respondent Nos.1 to 3.

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CORAM : F.I.REBELLO, J. AND

DR.D.Y.CHANDRACHUD, J.

24th February, 2006.

P.C. :

The Petition was instituted on 6th August, 2002 to impugn a Government Resolution dated 27th December, 2000 laying down norms for supply of milk by the societies. The Government Resolution has

been issued in the public interest. We do not find any reason to exercise the extra-ordinary jurisdiction under Article 226 of the Constitution. In fact, in the Petition it has been averred that in pursuance of the Government Resolution, Petitioner No.1 stopped accepting substandard milk as a result of which the members of the Petitioners staged certain demonstrations. That cannot be a ground not to comply with the terms of the Government Resolution which is in the public interest. In the event that the Petitioners seek any change in terms of the Government Resolution on the basis of scientific data which is available to them, it would be open to the Petitioners to do so. In the event that such an application is moved before the Government, that shall be considered in accordance with law. Subject to the aforesaid, the Petition shall stand dismissed.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)